

Notice of Allowability

Application No.

10/600,788

Examiner

Laura E. Edwards

Applicant(s)

BASTOW, DAVID R.

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1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the filing of the application as of 6/20/03.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☒ The drawings filed on 20 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 08/682,773.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

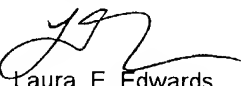
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


Laura E. Edwards
Primary Examiner
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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the specification:

On page 1, line 9, after "1996," --now abandoned, -- has been inserted.

The following is an examiner's statement of reasons for allowance:

Claims 1-3 would be allowable because the prior art fails to explicitly teach or suggest a method of masking a vehicle "B" post comprising the combined steps of providing a resiliently conformable length of masking material comprising an elongate strip of polymeric foam having first and second major opposite surfaces extending between opposite first and second edge surfaces, a width between said edge surfaces greater than the maximum distance between the trailing edge of a front door adjacent the "B" post and the leading edge of a rear door adjacent the "B" post, a width between said edge surfaces greater than the thickness between said front and rear surfaces, and a length at least equal to the length of the "B" post to be masked, the strip having pressure sensitive adhesive on said first major surface adjacent said first edge surface of the strip, and being free of adhesive on said first major surface along a stripe adjacent said second edge surface of the strip, opening the front door, applying the strip to an inner surface of the leading edge of the rear door so that the pressure sensitive adhesive securely adheres the strip

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to conform with the profile of the leading edge and the adhesive free stripe of the first major surface projects across the "B" post to an extent sufficient to overlap the trailing edge of the front door with a portion of the adhesive free strip in the space between the front and rear doors when the front door is closed, and closing the front door to abut the projecting portion of the strip to mask the "B" post against materials being sprayed on the outer surfaces of the doors.

Claims 4-10 are allowable because the prior art fails to explicitly teach or suggest masking material adapted for masking a "B" post of an automobile, said length of masking material comprising an elongate strip of polymeric foam having longitudinally extending first and second major surfaces extending between first and second edge surfaces on opposite sides of said major surfaces, said major surfaces having widths of from 20 to 40mm between said edge surfaces, said foam strip having a thickness between said major surface of at least 10mm and less than the widths of said major surfaces, and said length of masking material including a longitudinally extending layer of pressure sensitive adhesive on said first major surface adjacent said first edge and being free of adhesive on said first major surface along a stripe adjacent said second edge surface of the strip.

Claims 11-15 are allowable because the prior art fails to explicitly teach or suggest the combination of a vehicle having a closed front door with opposite outer and inner surface and a trailing edge, and a closed rear door with opposite outer and inner surfaces and a leading edge, said trailing and leading edges defining a space between said doors, and said vehicle including a "B" post having a length extending along said space with said "B" post being spaced from said inner surfaces of said doors; and a resiliently conformable length of masking material comprising an elongate strip of polymeric foam having longitudinally extending opposite first and second

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major surfaces extending between first and second edge surfaces on opposite sides of said major surfaces, said major surfaces having widths of from 20 to 40mm between said edge surfaces, said foam strip having a thickness between said major surfaces of at least 10 mm and less than the widths of said major surfaces, and said length of masking material including pressure sensitive adhesive on said first major surface adjacent said first edge and being free of adhesive on said first surface along a stripe adjacent said second edge surface of the strip, said pressure sensitive adhesive securely adhering the strip of polymeric foam to the inner surface of the rear door in conformation with the profile of said leading edge and with the adhesive free stripe of said first surface projecting across the "B" post and overlapping the trailing edge of the front door with the inner surface of the front door abutting the overlapping portion of the strip and with a portion of the adhesive free strip in the space between the front and rear doors to mask the "B" post against materials being sprayed on the outer surfaces of the doors.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents disclose the state of the art with respect to a masking tape for vehicles: Stephens (US 3,930,069).


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura E. Edwards whose telephone number is (571) 272-1227.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Laura E. Edwards
Primary Examiner
Art Unit 1734

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February 12, 2004